

# Exhibit V

Adm'n - Rec'd.

926837

Re: Orig. SRS request

ELK 1330.18A

December 4, 2014  
Attachment AREQUEST FOR ADMINISTRATIVE REMEDY  
INFORMAL RESOLUTION FORM  
FCI ELKTON, OHIO

4066

11-26-17

Bureau of Prisons Program Statement 1330.18 "Administrative Remedy Procedures for Inmates", states that "before an inmate seeks formal review of a complaint he must try to resolve the complaint informally by presenting it to a staff member." The staff member must also try to resolve the complaint "informally" before the inmate will be given an Administrative Remedy Form.

INFORMAL RESOLUTION NUMBER: 4066INMATE'S NAME: TONY FISHER NO. 70313-061 UNIT FB

1. Specific Complaint: Per acting AHSA L. Hunter, NP-C on 11/16/2017 my request for sex reassignment surgery (SRS) was "denied by a doctor at the regional level" stating "the BOP is not yet doing SRS as they can't find a doctor to perform the surgery or personnel for after care. Even though SRS IS part of the BOP Clinical Guidelines for the treatment of transgender inmates."
2. Relief Requested: Being that the hormone therapy and real-life experience (as is allowable to me by FCI-Elkton and the BOP) are not providing sufficient relief for my gender dysphoria, I request sex reassignment surgery as requested by FCI-Elkton medical staff AND is recommended by the WPATH Standards of Care, as I've requested multiple times through multiple staff members of medical and psychology services and my unit team, and any and all legal fees, court costs, and attorney fees
3. Date/Time Complaint received from inmate: 11-21-17 3:40p associated with a Bivers 12-31-17 3:41p and/or 1983 actions brought
4. Date/Time Informally discussed with inmate: 12/19/17 to secure this ~~needed~~ 2d.

5. Staff Response: As we discussed, Health Services has reached out to BOP for regional direction and are in the process of following through with discussions @ the central office level on surgical tx options and plan of care developed w/ BOP. Such

6. Date Administrative Remedy provided: 1-2-18

7. Informal Resolution was / was not accomplished.

12/31/2017  
12/31/2017  
Inmate's Signature/Register BARNES, CDR PA-C  
JANET BARNES, CDR PA-C  
HEALTH SERVICES ADMINISTRATOR  
STAFF MEMBER'S NAME & TITLE  
1/12/18

12/31/2017  
DATE

12-19-17  
DATE

1-2-2018  
DATE

UNIT MANAGER'S SIGNATURE

U.S. DEPARTMENT OF JUSTICE

Federal Bureau of Prisons

REQUEST FOR ADMINISTRATIVE REMEDY

112 BP 4066 1-2-18

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: <u>Fisher, Tony, R.</u>	70313-061	FB	FCI-Elkton
LAST NAME, FIRST, MIDDLE INITIAL	REG. NO.	UNIT	INSTITUTION

Part A- INMATE REQUEST Being that an Informal resolution was not established on BP-8 #4066 in regards to my request for Sex Reassignment Surgery (SRS), I am hereby submitting this Request For Administrative Remedy. I suffer extreme undue mental anguish due to my gender dysphoria as I've constantly informed a plethora of Bureau of Prisons (BOP) officers, agents, clinicians, Lieutenants, Unit Team Members, Psychologists, and medical personnel that I've had contact with. Even after more than two years of continuous and potentially successful hormone treatment, counseling, and living as a woman (A.K.A. Real Life Experience/RLE) as permitted by FCI-Elkton and the BOP, I have not experienced ANY alleviation to my mental anguish, thus my symptoms have persisted causing extreme distress and I still feel a strong imminent urges to self castrate (not to be interpreted as ANY form of suicidal attempt or ideation). I have communicated these urges to: Dr. Kathy McNutt (when she was my assigned treatment plan physician), my housing unit counselor Ms. D. Smith, Chief Psychologist Dr. Paul Clifford, Staff Psychologist Dr. M. Szumigale, Staff Psychologist Dr. H. Wilson, Health Services Administrator Ms. Barnes, Acting Assistant Health Services Administrator Ms. Lori Hunter NP-C, my current assigned primary health care provider Ms. Giannone NP-C, and prior assigned staff psychologists Dr. Jessica Virzi (which also is who diagnosed me with gender dysphoria) and Dr. Andres Moskowitz (both here at FCI-Elkton) and Dr. Brooke Phillips-Boyles (WPATH) Standards Of Care (SOC)(which the BOP has adopted as its chosen model of care for

3 January 2018 \*Cont'd on attached page\*  
DATE



SIGNATURE OF REQUESTER

Part B- RESPONSE

**SEE ATTACHED**

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER:

926837-P

CASE NUMBER:

Part C- RECEIPT

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT:

1/8/18

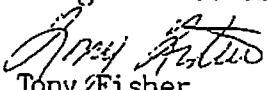
DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)



(cont'd from form BP-229(13))

transgender inmates) "triadic treatment sequence": (1) Hormone Therapy; (2) Real Life Experience as a member of the opposite sex; and (3) Sex Reassignment Surgery, this surgery is not considered experimental or cosmetic, it is an accepted, effective, medically indicated treatment for gender dysphoria. Only providing me with SOME treatment consistent with the WPATH SOC guidelines does not necessarily mean I am being provided with Constitutionally adequate treatment. Having begun this process, implies now your duty to fully complete this process of transition/transformation for me. As stated by me in BP-8 #4066 (attached hereto) "Per acting AHSA L. hunter, NP-C on 11/16/2017 my request for sex reassignment surgery (SRS) was 'denied by a doctor, Dr. Shaw, at the regional level' stating 'the BOP is not yet doing SRS as they can't find a doctor to perform the surgery or personnel for after care even though SRS is part of the BOP Clinical Guidelines for the treatment of transgender inmates'". A review of my medical records, specifically: Bureau of Prisons, Health Services, Clinical Encounter-Administrative Note by provider: Hunter, Lori NP-C, dated 10/13/2017 15:28, Ms. Hunter states: "Reviewed medical record in preparation for submitting SRS request to the TCCT. He has been on medications greater than one year with good compliance". This record was generated in compliance with the Medical Management of Transgender Inmates; Federal Bureau of Prisons Clinical Guidance dated December 2016. On page 19, section #12 Gender Affirming (A.K.A. Sex Reassignment) Surgery, it is stated that "Requests for surgery are submitted to the BOP TCCT for initial review and recommendation to the Medical Director, who is the approving authority". Also, based on the "CRITERIA" in this same section, I am a matching candidate for this essential medical care procedure. I hereby request Sex Reassignment Surgery (SRS) as is recommended by the WPATH Standards of Care, and the BOP's own Medical Management of Transgender Inmates Clinical Guidance manual; and now mandated by our agreement; being you have begun this process an me which I have accepted. Any further delay or denial gives merit to your deliberate indifference and wanton reckless denial to my serious medical needs, and therefore this is a violation of my Eighth Amendment rights allowing me to invoke my right to file a Bivens claim and/or FTCA action, to which I further request any and all legal fee's, court costs, and attorney fee's associated with the action(s) brought to secure this medically needed surgery.



Tony Fisher  
Reg. # 70313-061

January 3, 2018

Attachments: copy of Informal Resolution number 4066, four copies of continuation page

Cc:/file  
trf